



Attorney's Docket 014518-0305110

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re PATENT APPLICATION of:

Confirmation Number: 4666

RICHARD L PEDERSON ET AL.

Application No.: 10/665,734

Group Art Unit: 1621

Filed: September 16, 2003

Examiner: Nazario Gonzalez, Porfirio

For: Chelating Carbene Ligand Precursors and Thier Use in the Synthesis of Metathesis Catalysts

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. Section 1.321(c))**

**Identification of Person(s) Making This Disclaimer**

I, DAVID JAFFER, represent that I am the attorney of record.

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

**DISCLAIMER**  
**(Obviousness-Type Double Patenting Rejection Over A Prior Patent)**

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,620,955, issued on September 16, 2003, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant patent and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent

forming the basis of the double patenting rejection, namely, Patent No. 6,620,955, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g., corporation, partnership, university, Government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

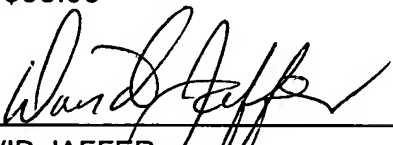
**DISCLAIMER FEE (37 C.F.R. Section 1.20(d))**

A small entity--fee \$65.00.

**FEE PAYMENT**

Charge Deposit Account No. 502213 the sum of \$65.00

Date: June 24, 2005  
PILLSBURY WINTHROP SHAW PITTMAN LLP  
2475 Hanover Street  
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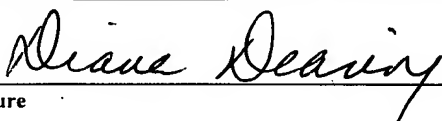
  
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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee", Mailing Label No. EV698246537US, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 24, 2005

  
\_\_\_\_\_  
Signature  
**DIANA DEARING**  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.